

DECISION NOTICE
AND
FINDING OF NO SIGNIFICANT IMPACT

2008 Cooperative Gypsy Moth Project
For Northern Indiana

By

Indiana Department of Natural Resources
and
United States Department of Agriculture, Forest Service

April 2008

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INTRODUCTION

This document accompanies the Environmental Assessment (EA) titled “Cooperative Gypsy Moth Project for Northern Indiana 2008”, written by the Indiana Department of Natural Resources (IDNR) and the United States Department of Agriculture (USDA). The EA is a site-specific analysis of the potential effects of implementing the project, which is referenced as the proposed action. The IDNR is requesting that the USDA-Forest Service (USFS) provides both technical and financial assistance on this project. Procedures outlined by the National Environmental Policy Act of 1969 (NEPA) must be followed in order for federal assistance to be approved. The NEPA process provides a mechanism to identify 1) issues and concerns from the public, 2) reasonable and prudent alternatives for the proposed action, 3) potential environmental impacts of the alternatives, and 4) appropriate mitigation measures. In addition to the EA and this Decision Notice and Finding of No Significant Impact, the USFS requires that a Work, Safety and Security Plan, and a Biological Evaluation also be completed before the project can be implemented.

This Decision Notice is for state and private lands in the Slow-The-Spread Action Zone in northern Indiana. An eradication treatment is proposed on the Hoosier National Forest and on adjacent private lands in southern Indiana. Separate decision notices and an environmental assessment have been prepared for that eradication project.

SUMMARY OF PROPOSED ACTION

IDNR, in cooperation with the USFS, proposes treating 14 sites in Indiana. Mating disruption (pheromone flakes) would be used on one site of 6,907 acres. Btk, *Bacillus thuringiensis* var. *kurstaki*, would be used on 13 other sites totaling 7,406 acres. The objective for this cooperative project is to slow the spread of the gypsy moth populations by eliminating reproducing populations from the proposed treatment sites.

Btk would be applied by air once or twice in accordance with label directions between late April and late May when larvae are first and second instars. Pheromone flakes would be aerially applied in accordance with label directions between mid June to early July, just prior to male moth emergence. IDNR would administer the overall operational and administrative aspects of the cooperative project. The USFS would cost-share on applications and would provide technical assistance to the IDNR.

DECISION

The EA discusses alternatives for treating gypsy moth populations in Indiana. The EA documents a site-specific environmental analysis conducted jointly by the IDNR and the USFS for federally supported gypsy moth activities in 2008. The EA is tiered (40 CFR 1502.20; 1508.28) to the 1995 Final Environmental Impact Statement (FEIS) entitled “Gypsy Moth Management in the United States: a cooperative approach” (USDA 1995).

The EA includes a site-specific discussion of:

1. Purpose and need for action
2. Alternatives, including the proposed action
3. Affected environment
4. Environmental consequences

The five alternatives that were considered in detail in this analysis were:

1. No action
2. Btk
3. Mating disruption
4. Mass trapping
5. Btk, mating disruption and/or mass trapping

Based upon the analysis documented in this EA and the FEIS, it is my decision that the objectives of the proposed action and the needs of the people of Indiana are best met by Alternative 5. This alternative is compatible with the preferred alternative discussed in the FEIS and selected in the Record of Decision, January 1996.

RATIONALE FOR DECISION

The general policy of the USFS is to protect forest-related values from damaging insect and disease outbreaks. This policy stems from the Plant Protection Act of 2000 (7 U.S.C. section 7701), the Cooperative Forestry Assistance Act of 1978, as amended (P.L. 95-313), which incorporates provisions of the Forest Pest Control Act of 1947, and the Cooperation with State Agencies in Administration and Enforcement of Certain Federal Laws (7 U.S.C. section 450). These laws provide for federal and state cooperation in forest insect and disease management. The Cooperative Forestry Assistance Act has been reauthorized by the 2002 Farm Bill (P.L. 107-171d) and grants authority to the Secretary of Agriculture to assist state officials through cooperative programs to control forest insects and diseases on non-federal forestlands of all ownerships. These programs have several purposes: (1) to enhance the growth and maintenance of trees and forests, (2) to promote the stability of forest-related industries, and associated employment, through the protection of forest resources, (3) to conserve forest cover on watersheds, shelterbelts, and windbreaks, (4) to protect outdoor recreation opportunities and other forest resources, and (5) to extend timber supplies by protecting wood products, stored wood, and wood in use.

The USDA Departmental Gypsy Moth Policy (USDA 1990) assigns the USFS and APHIS the responsibility to assist states in protecting non-federal lands from gypsy moth damage. On January 16, 1996, Joan M. Comanor, Deputy Chief of the USFS for State and Private Forestry, and Donald F. Husnick, Deputy Administrator of APHIS for Plant Protection and Quarantine, signed a Record of Decision (ROD) (USDA 1996) for the FEIS. The FEIS and ROD document the decision by USDA to support eradication, slow-the-spread, and suppression strategies for gypsy moth management. The ROD and FEIS specify that implementation of this alternative will require the completion of site-specific analyses conducted in accordance with NEPA and the environmental policy and procedures of the USDA (USDA 1996, p.1).

My decision to choose Alternative 5 as the preferred alternative is based upon compliance with and the authority granted by the federal laws and regulations previously described and with USDA policy. This project complies with the Forest Pest Management Control Project Standards as described in the USFS Manual (FSM 3430) and the Cooperative Control Project Participation Criteria as described in Chapter 10 of the USFS Handbook (FSH 3409.11). This project complies with USFS policy to protect and preserve the forest resources of the nation against destructive forest insects and diseases (USDA 1995, Vol. II, p. 1-3).

I did not choose the other alternatives for the following reasons:

Alternative 1 – This alternative was not selected because it does not meet my responsibility to assist the state of Indiana in protecting non-federal lands from gypsy moth damage, nor does it support the general USFS policy of protecting forest-related values from damaging insect and disease outbreaks. This alternative is likely to result in more rapid spread of gypsy moth to neighboring counties in Indiana.

Alternative 2 – One of the proposed sites is suitable for the use of mating disruption. This site has an isolated, very low gypsy moth population level in fragmented host type (rural woodlots and urban forests). Thus, Btk only was not selected.

Alternative 3 – Gypsy moth population levels in 13 sites are above the threshold for application of mating disruption. Thus, mating disruption is likely to be less effective than Btk in these sites.

Alternative 4 – This alternative was not selected because it was cost prohibitive to set the large number of traps.

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the EA and carefully considered the issues and concerns expressed by the citizens of Indiana. Based on the site-specific environmental analysis documented in the EA, I have determined that implementing this decision in the manner described will not cause significant environmental impacts or adverse effects. Therefore, an environmental impact statement is not needed for this project. This decision was made after considering the context and intensity of the project.

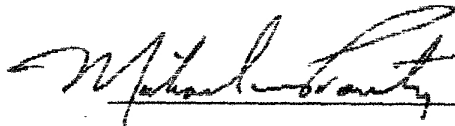
There are no significant effects after considering context and intensity of the project (40 CFR 1508.27). The site-specific EA evaluates the environmental consequences (effects) of the proposed action in the context of local and regional issues. Cooperative gypsy moth treatments, approximately 14,313 acres, would occur on forested areas in five counties. This is only a small portion of the total forested acres in these counties.

The intensity of any effects is minimal for the following reasons:

1. Impacts from the applications are limited to the treatment areas.
2. There is no indication that the general public will experience any adverse health or safety effects from mating disruption (USDA 1995, Vol III, p. 8-1 through 8-6) and Btk. (USDA 1995, Vol III, p. 4-1 through 4-21)
3. Treatment materials will not affect wetlands or ecologically critical areas.
4. Treatment materials are not highly controversial and will help to maintain the quality of the environment, as it existed prior to gypsy moth infestations. Disrupt II and Btk are registered for gypsy moth and will be applied according to label requirements. This meets the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act of 1947 (7 USC 136) as amended.
5. There are no known unique or unknown risks associated with this project.
6. The decision to proceed is based upon the results of a site-specific environmental analysis conducted in accordance with NEPA. Decisions regarding future actions will be made in a similar manner.
7. The FEIS analyzed and demonstrated that neither cumulative environmental nor human health risks are associated with the use of treatment materials.
8. The Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology reviewed the proposed treatment sites and determined that no historic properties will be altered, demolished, or removed by the proposed project.

9. U.S. Fish & Wildlife Service was consulted and neither of the two federally endangered species of butterfly in Indiana is known to occur within or near to any of the proposed treatment sites. None of the proposed treatment sites are near Indiana bat hibernacula and all of the 2008 Btk sites are limited to relatively small areas of Indiana bat summer habitat. Therefore, the FWS concludes that, "the federally assisted 2008 gypsy moth program is not likely to adversely affect any of these federally listed species" as determined under the Endangered Species Act of 1973.
10. The proposed action complies and is consistent with all federal, state and local laws or requirements imposed for protection of the environment. The action is a cooperative project that has been planned, funded and will be implemented by agencies representing federal and state governments.
11. The public will be notified prior to aerial application. Application of Btk. will be suspended when school buses are in the site and when children are outside on school grounds.

This analysis was performed in compliance with Executive Order 12898 (Environmental Justice, February 11, 1994). This project will not be implemented on national forest lands, thus the decision is not subject to the USFS appeals process. This project may be implemented after this document has been signed.



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4-11-08

Date: